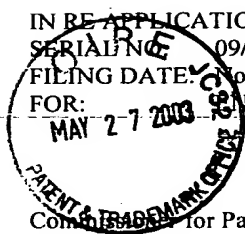


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Thomas NOSKER et al
 SERIAL NO. 09/985,937
 FILING DATE: November 6, 2001
 FOR: ENGINEERED RAILROAD TIES

GAU: 3617
 EXAMINER: M. T. Le

AF 3617
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 S



Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

RECEIVED
 MAY 30 2003
 GROUP 3600

SIR:

Transmitted herewith is an amendment in the above-identified application.

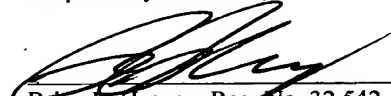
- ☐ No additional fee is required.
- ☐ Applicant(s) is/are entitled to small entity status.
- ☒ Additional documents filed herewith: Substitute Declaration

The fee has been calculated below:

CLAIMS	CLAIMS REMAINING		HIGHEST NO. PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS	RATE		CALCULATIONS
TOTAL	26	MINUS	26	0	x	\$18 =	\$0.00
INDEPENDENT	2	MINUS	3	0	x	\$84 =	\$0.00
	<input type="checkbox"/>	MULTIPLE DEPENDENT CLAIMS					
		TOTAL OF ABOVE CALCULATIONS					\$0.00
	<input type="checkbox"/>						
	<input type="checkbox"/>	REDUCTION BY 50% FOR FILING BY SMALL ENTITY					\$0.00
	<input type="checkbox"/>	RECORDATION OF ASSIGNMENT				+	\$40 =
		TOTAL					\$0.00

- ☐ A check in the amount of \$_____ is attached.
- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.36 for any necessary extension of time may be charged to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


 Brian P. Heaney, Reg. No. 32,542
 Attorney for Applicants

MILLEN, WHITE, ZELANO
 & BRANIGAN, P.C.
 Arlington Courthouse Plaza I
 2200 Clarendon Blvd. Suite 1400
 Arlington, Virginia 22201
 Telephone: (703) 243-6333
 Facsimile: (703) 243-6410
 Date: May 27, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Lester
05/53

In re Application of:

Thomas NOSKER et al.

Group Art Unit 3617

Serial No.: 09/985,937

Examiner: M. T. Le

Filed: November 6, 2001

For: ENGINEERED RAILROAD TIES

REPLY UNDER 37 C.F.R. §1.116

Assistant Commissioner for Patents
Washington, D. C. 20231

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MAY 30 2003
GROUP 3600

Sir:

In response to the Office Action of December 26, 2002, please amend the above-identified application as follows:

Amendments to the Specification are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Ents
approval
upon filing
an appeal
in
6/11/03